

Attorney's Docket No.: Intel 10559-507001 / P11812

REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested.

Claims 1, 4-13, 15-24, 26-41 are pending. Claims 1, 13, 24, and 30-41 are independent claims. Claims 2, 3, 14, and 25 have been canceled.

Drawings

With regard to the comments in Section 1 of the Office Action, paragraph 33 has been amended to correct an inadvertent typographical error by replacing the reference "520" with "530" as reflected in Fig. 5 (i.e., reference 530 pertains to the "busy" designation).

With regard to the comments in Section 2 of the Office Action, paragraph 12 has been amended to provide a text description of reference numbers 201-209, 211, 213, 215, 217, 219, 221, and 223 that matches Fig. 2. No new matter has been added.

With regard to reference 401 in Fig. 4, attention is respectfully directed to paragraphs 22 and 23 which both describe a "communication link 401". Accordingly, no amendments were made to Fig. 4 or the specification regarding this reference / feature.

With regard to reference 515 in Fig. 5, attention is respectfully directed to paragraph 37 which describes "Other communication channels 515 such as IM addresses and the like".

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Accordingly, no amendments were made to Fig. 5 or the specification regarding this reference / feature.

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Claims

Claim 1 has been amended to include the features of claim 3 (which has been canceled).

Claim 13 has been amended to include the features of claim 14 (which has been canceled).

Claim 24 has been amended to include the features of claim 25 (which has been canceled).

New claim 30 is based, in part, on original claims 1 and 4.

New claim 31 is based, in part, on original claims 13 and 15.

New claim 32 is based, in part, on original claims 24 and 26.

New claim 33 is based, in part, on original claims 1 and 10.

New claim 34 is based, in part, on original claims 13 and 21.

New claim 35 is based, in part, on original claims 24 and 29.

New claim 36 is based, in part, on original claims 1 and 11.

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New claim 37 is based, in part, on original claims 13 and 22.

New claim 38 is based, in part, on original claims 24 and 11.

New claim 39 is based, in part, on original claims 1 and 12.

New claim 40 is based, in part, on original claims 13 and 23.

New claim 41 is based, in part, on original claims 24 and 12.

The claims have been rejected as being anticipated by U.S. Pat. No. 6,301,609 (the "'609 patent"). This rejection is traversed. Independent claims 1, 13, and 24 have been amended to clarify that, in some variations, the data repository maintains user preferences relating to user preferred message routing paths. The '609 patent, in contrast, provides an arrangement in which upon notification of a pending event or received data or communications by a communication services provider (CSP), the user may select the delivery channel utilized (see, inter alia, col. 11, lines 38-45). Therefore, rather than storing user preferred message routing paths, the '609 patent waits until an event occurs and then queries the user regarding the preferred routing path. Such a configuration increases both the amount of time required to route relevant data and the amount of processing required to route data. Moreover, in addition to the claims being novel, there is no

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suggestion within the cited reference to store user preferred routing paths as currently claimed.

Accordingly, claims 1, 13, and 24, and those dependent thereon, are allowable.

Independent claims 30, 31, and 32 cover embodiments in which the maintained data repository further comprises information about the user that facilitates context-appropriate message routing decisions to be made. The passages within the '609 patent cited in connection with original claims 4, 15, and 26 relate to the designation of buddies in instant messaging applications. In particular, the cited '609 passages describe granting a buddy of a user with visibility into the real presence of the user (i.e., whether the user is online or offline). However, there is no disclosure or suggestion within the cited reference to route a message based on an appropriate context, the context being based on an appropriate level of obtrusiveness for factors such as the type of message and/or the communication channel(s) currently used by the user.

Accordingly, claims 30, 31, and 32 are allowable.

Claims 33, 34, and 35 relate to variations in which the discovered information includes information received from a communications service provider relating to the message recipient's communications status and/or activity. In response to original claims 10, 21, and 29, passages of the '609 patent were cited that relate to a CSP which includes a database indicating whether a user is online (e.g., the user's communication status). However, the CSP of the '609 patent cannot be considered to be part of a communications service

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provider, as claimed, based in part, on Fig. 1 which illustrates CSP 160 as being external, but coupled to, a service provider 120. As a result, the claims are novel. Furthermore, there is no suggestion within the '609 patent for the skilled artisan to provide an arrangement in which discovered information contains information from a service provider regarding the status of a potential recipient.

Therefore, claims 33, 34, and 35 are allowable.

Claims 36, 37, and 38 cover variations in which information is received from the message recipient relating to the message recipient's communications status. With reference to original claims 11 and 22, a passage in the '609 patent was cited that describes the CSP accessing the CSP database to determine whether a user is online or off-line. There is no description that states or suggests that the recipient sends information that is relevant to the recipient's communication status.

Therefore, claims 36, 37, and 38 are allowable.

Claims 39, 40, and 41 cover configurations in which a device-independent identifier uniquely identifying the message recipient is received. In connection with original claims 12 and 23, sections of the '609 patent were listed that describe a user selecting a delivery channel (which is necessarily device dependent) upon a pending event or when data is received by the CSP. There is no discussion regarding the use of a device-independent identifier, nor would the skilled artisan have been motivated to adapt the teachings of the '609 patent to include device-independent identifiers as the '609 patent describes channel routing techniques that utilize a gateway that first

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determines whether a user is online or offline a CPE (client premises equipment).


Therefore, claims 39, 40, and 41 are allowable.

Conclusion

Applicant asks that all claims be allowed. Enclosed is a \$1200 check for excess claim fees. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 12/17/04

  
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